

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN RE:	)	
	)	
SOUTHWEST CUTTERS, LLC,	)	Case No. 17-30238-HCM
	)	Chapter 11
Debtor.	)	

**LIMITED OBJECTION BY TEXZONA INDUSTRIES, INC. TO  
DEBTOR'S MOTION FOR AUTHORITY TO USE CASH COLLATERAL**

TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:

Comes now, Texzona Industries, Inc. ("Texzona"), a creditor and party in interest herein, and files this, its Limited Objection to the Motion for Authority to Use Cash Collateral filed by the Debtor Southwest Cutters, LLC ("Debtor"), and would show the Court as follows:

1. The Debtor leased the premises located at 1430 Gail Borden, Suites B-1, B-2 and C-1 from Texzona. The Lease has expired and the Debtor is holding over.
2. Texzona would show through the proposed budget attached to the Agreed Order Granting Interim Permission to Use Cash Collateral entered on February 17, 2017, the Debtor proposes paying Texzona rent of \$8,000 per month. The actual monthly rent for all three spaces is \$8,375 per month. Pursuant to the Lease, holdover rent is \$10,468.75.
3. In addition, the Debtor owes its monthly share of insurance, property taxes and operating expenses which totals \$5,147.87 per month. The budget does not provide for payment of these common area maintenance charges. The Debtor is continuing to occupy Texzona's property without fulfilling its obligations.
4. As of the petition date of February 13, 2017, the Debtor is in arrears in rent in the amount of \$53,868.16, which amount includes February rent and related charges that were due February 1, 2017.

5. Texzona understands that the Court has ordered that Texzona does not have to be paid holdover rent for February 2017. However, Texzona asserts the Debtor needs to pay \$15,616.62 in future monthly holdover rent payments to keep Texzona adequately protected and not allow Texzona to be put in a worse position than it was on the Petition Date.

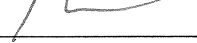
**WHEREFORE, PREMISES CONSIDERED,** Texzona Industries, Inc. requests the Court to amend the Debtor's proposed budget to the extent that the Debtor does not propose to pay Texzona the full amount of holdover rent due monthly, and such other and further relief as is just.

**DATED** this 22<sup>nd</sup> day of February, 2017.

Respectfully submitted,

**GORDON DAVIS JOHNSON & SHANE P.C.**

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El Paso, Texas 79912  
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By:   
Harrel L. Davis III  
State Bar No. 05567560  
Attorneys for Texzona Industries, Inc.

**CERTIFICATE OF SERVICE**

I certify that on the 22<sup>nd</sup> day of February, 2017, a true and correct copy of the above and foregoing was served upon the attached list of parties via electronic means as listed on the court's ECF noticing system or by regular first class mail:

  
Harrel L. Davis

Label Matrix for local noticing  
0542-3  
Case 17-30238-hcm  
Western District of Texas  
El Paso  
Wed Feb 22 09:57:14 CST 2017

A&E Thread  
P.O. Box 507  
Mount Holly, NC 28120-0507

Ascentium Capital, LLC  
P.O. Box 301593  
Dallas, TX 75303-1593

Bank of America Equipment Loan  
P.O. Box 660576  
Dallas, TX 75266-0576

CN-Clark Company  
1403 Person St.  
Durham, NC 27703-5059

Corporation Service Company  
P.O. Box 2576  
Springfield, IL 62708-2576

Diversitex  
376 Hollywood Ave.  
Fairfield, NJ 07004-1807

El Paso Disposal  
5539 El Paso Dr.  
El Paso, TX 79905-2907

Henderson Fire Protection  
P.O. Box 4193  
El Paso, TX 79914-4193

Insect Shield, LLC  
814 W. Market St.  
Greensboro, NC 27401-1813

Southwest Cutters, LLC  
1430 Gail Borden Pl., Ste. 1-C  
El Paso, TX 79935-4810

Adjo, Inc.  
21 Deleware Ave.  
Gloversville, NY 12078-1403

Atlas Sewing Parts & Supplies  
c/oTony Silva  
1630 Texas Ave. #D  
El Paso, TX 79901-1700

Brookwood Co.  
P.O. Box 890011  
Charlotte, NC 28289-0011

Carlisle Finishing, LLC  
714 Bethlehem Pike, #205  
Ambler, PA 19002-2655

Cyberknit  
315 W. 39th St., Ste. 709  
New York, NY 10018-4043

Donald Martinez  
6035 Laguna Vista  
El Paso, TX 79932-4109

Estes Express Lines  
P.O. Box 25612  
Richmond, VA 23260-5612

Hoy Fox Automotive Market  
1122 Airway Blvd.  
El Paso, TX 79925-3619

Internal Revenue Service  
Centralized Insolvency Office  
P.O. Box 7346  
Philadelphia, PA 19101-7346

U.S. BANKRUPTCY COURT  
511 E. San Antonio Ave., Rm. 444  
EL PASO, TX 79901-2417

Ascentium Capital Corp Service Co.  
P.O. Box 979059  
Miami, FL 33197-9059

Bank of America  
P.O. Box 15796  
Wilmington, DE 19886-5796

CHTD Company  
P.O. Box 2576  
Springfield, IL 62708-2576

Chase  
P.O. Box 94014  
Palatine, IL 60094-4014

Direct Capital Bank N.A.  
155 Commerce Way  
Portsmouth, NH 03801-3243

El Paso County Tax Assessor/Collector  
301 Manny Martinez Dr.  
El Paso, TX 79905-5503

FedEx Freight  
P.O. Box 10306  
Palatine, IL 60055-0306

IRS Insolvency Office  
300 E. 8th Street, Mail Stop 5026AUS  
Austin, TX 78701-3233

International Textile Group, Inc.  
P.O. Box 741340  
Atlanta, GA 30374-1340

Libertas Funding, LLC  
382 Greenwich Ave., Ste. 2  
Greenwich, CT 06830-6501

Lift Truck Service  
206 Raynolds  
El Paso, TX 79905-2833

(p)MERCEDES BENZ FINANCIAL SERVICES  
13650 HERITAGE PARKWAY  
FORT WORTH TX 76177-5323

Miami Thread  
P.O. Box 3166  
Drexel, NC 28619-3166

Monique Gattegno  
368 Shadow Mountain Dr., Apt. 106D  
El Paso, TX 79912-4035

Old Dominion  
P.O. Box 841324  
Dallas, TX 75284-1324

QST Industries  
15 West 36th St., #2  
New York, NY 10018-7929

SAIA Motor Freight Line, Inc.  
P.O. Box 730532  
Dallas, TX 75373-0532

SML USA  
777 Main Street.  
Lewiston, ME 04240-5803

Samuel S. Sipes  
6006 N. Mesa, St. 1000  
El Paso, TX 79912-4628

SnD Manufacturing Ltd.  
122515 Forestgate Dr., Ste. 101  
Dallas, TX 75243

TQL Total Quality Logistics  
P.O. Box 634558  
Cincinnati, OH 45263-4558

Tax Assessor/Collector  
P.O. Box 660271  
Dallas, TX 75266-0271

Team Growth Fund  
c/o Clyde A. Pine Jr.  
POB 1977  
El Paso, TX 79999-1977

Team Growth Fund, LLC  
13168 Saker Dr.  
Horizon, TX 79928-6211

Team Growth Fund, LLC  
c/o Clyde Pine, Jr.  
100 N. Stanton, Ste. 1000  
El Paso, TX 79901-1463

Tennessee Attachment Co.  
P.O. Box 188  
White Bluff, TN 37187-0188

Texas Barcode Systems  
P.O. Box 700637  
Dallas, TX 75370-0637

Texzona  
P.O. Box 522541  
El Paso, TX 79952-0009

Texzona Industries, Inc.  
c/o Harrel Davis  
P.O. Box 1322  
El Paso, TX 79947-1322

The CIT GroupCommercial Services, Inc.  
Attention: Christine D. Dery, AVP  
11 West 42nd Street  
New York, NY 10036-8002

U.S. Bank  
P.O. Box 790448  
Saint Louis, MO 63179-0448

U.S. Bank Equipment Finance  
1310 Madrid Street  
Marshall, MN 56258-4099

United States Attorney  
Civil Process Clerk-  
Internal Revenue Service  
601 N.W. Loop 410, Suite 600  
San Antonio, TX 78216-5512

United States Attorney General  
Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530-0009

United States Trustee - EP12  
U.S. Trustee's Office  
615 E. Houston, Suite 533  
P.O. Box 1539  
San Antonio, TX 78295-1539

Wells Fargo  
P.O. Box 51166  
Los Angeles, CA 90051-5466

William Staggs P.C.  
220 Heymann Blvd.  
Lafayette, LA 70503-2414

Yellowstone Capital, LLC  
1 Evertrust Plaza, Ste. 1401  
Jersey City, NJ 07302-3087

E. P. Bud Kirk  
Terrace Gardens  
600 Sunland Park Drive, Bldg 4, #40  
El Paso, TX 79912-5115

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Mercedes Benz Financial Services  
P.O. Box 5209  
Carol Stream, IL 60197-5209

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Apex Mills Corp.  
c/o Milberg Factors  
99 Park Ave.

(d)Team Growth Fund, LLC  
c/o Clyde A. Pine, Jr.  
P.O. Box 1977  
El Paso, TX 79999-1977

End of Label Matrix	
Mailable recipients	59
Bypassed recipients	2
Total	61